

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Government,

-against-

CHRISTOPHER COLON,

Defendant(s).

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ORDER

11 CR. 12 (RMB)

The Court has reviewed the record herein, including a motion and reply, dated January 12, 2017, and April 27, 2017, respectively, from Mr. Colon for a “Judicial Recommendation 12 Months Residential Reentry Center [RRC] Half-Way house Placement”; a “Motion for Permission to File Motion under 28 USC § 2255 to Vacate, set Aside, or Correct Sentence by a Person in Federal Custody”; and an opposition from the Government, dated April 3, 2017, contending that the Defendant’s applications are without merit, untimely and/or barred by the plea agreement, dated February 9, 2012.

According to the U.S. Bureau of Prisons (“BOP”), the Defendant was released from BOP custody on or about January 4, 2019.

“As with all litigants in federal court, Petitioner must satisfy the case or controversy requirement of Article III, § 2, of the Constitution in order to be eligible for relief. A case becomes moot if, at any stage of the proceedings, it fails to satisfy the case-or-controversy requirement.” Schlitz v. T.S. Craig, 2008 WL 3285918, *1, No. 05 Cv. 1575 (N.D.N.Y. Aug. 7, 2008 (LEK)(VEB)). Colon’s case appears to have become moot by virtue of Colon’s release from custody.

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Conclusion and Order

Colon's motion(s) [#909] is dismissed. Should Mr. Colon wish to pursue these matters further, the Court suggests that he contact the Southern District of New York Pro Se Office at the U.S. Courthouse at 40 Centre Street, Room 105, New York, New York 10007.

Dated: New York, New York
January 14, 2020



RICHARD M. BERMAN, U.S.D.J.

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